

678 PROCEEDINGS OF THE CITY COUNCIL

MINUTES FORT MADISON CITY COUNCIL Tuesday, July 7, 2020

Mayor Matt Mohrfeld presided with Council Members Rebecca Bowker, Mark Lair, Bob Morawitz, Tyler Miller, Chad Cangas and Rusty Andrews present. Council Member Kevin Rink was absent.

The meeting was held with Council, the Mayor, staff and some members of the public present. The meeting was also available electronically (pursuant to Iowa Code Section 21.8) due to social distancing issues because of COVID-19.

VISITORS

Andy Andrews, 2603 Avenue G, requested better signage at the Fort to show when it is open or closed. He questioned the inability of the City to supply a backhoe to install the picket walls.

AGENDA

Cangas MOVED and Miller SECONDED to approve the agenda.

**MOTION PASSED 6-0
VOICE VOTE**

CONSENT AGENDA

Morawitz MOVED and Cangas SECONDED to approve the Consent Agenda:

- Minutes of June 16, 2020;
- Liquor License Renewal: Quality Inn and Suites, 6169 Reve Court, effective July 1, 2020 – Class B Liquor with Sunday Sales;
- Liquor License Renewal: Lost Duck Brewing Company, L.C., 723-725 Avenue H, effective 7/15/2020 – Class B Beer with Outdoor Service and Sunday Sales;
- Liquor License Renewal: JoeDees, 1828 Avenue L, effective August 1, 2020 – Class C Liquor with Outdoor Service and Sunday Sales;
- Five-Day License: Fort Madison Area Chamber of Commerce for Downtown Summer Market, 700-800 block of Avenue G, effective July 7-11, 2020 – Class B Beer with Outdoor Service;
- Claims dated July 1, June Library Claims, June Manual Claims and June Financial Report; and
- Payroll: June 19, 2020 and July 3, 2020.

**MOTION PASSED 6-0
VOICE VOTE**

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DEPARTMENT HEAD REPORTS:

The Police Department has issued employment offers to two candidates. Call volume spiked over the holidays and at least four persons were cited for discharging fireworks. City staff discussed requiring fireworks vendors to post signs stating the discharge of fireworks within Fort Madison city limits is illegal. Police Chief Mark Rohloff said it is difficult to cite someone for fireworks unless police sees someone shoot them off or the complainant is willing to serve as a witness. The Fire Department provided mutual aid for Montrose for an accident in front of the Sheriff's office, responded to a fire at 931- 15th Street and assisted with the recovery of a drowning victim at Sandusky. Fire Chief Joey Herren will serve on the ambulance advisory board for the county.

Rental inspections have started again. Bowker questioned if there was a bullet point list to hand to persons. City Planning Director Doug Krogmeier said everything is on the city's website but he would look at it. Morawitz questioned the animal code as there is now a goat in his ward. Krogmeier said he talked to the goat's owner and the owner was aware he would probably not be able to keep the goat. Morawitz said the City needs to enforce the current law now if we don't know when the code is going to be updated.

There were public information meetings for the One-Way Pair and FMHS to Rodeo Park trail projects. There were some persons with concerns about the trail. Bowker felt the condition of the sidewalks downtown needed to be addressed. Previously special assessments for the replacement of the sidewalks had been discussed. Lair felt the curbs in the downtown need to be replaced.

ORDINANCES/RESOLUTIONS

1st READING, HOUSEKEEPING ORDINANCE: Lair MOVED and Andrews SECONDED to approve the first reading of an ordinance amending Title 1, Chapters 6 and 13; Title 4, Chapter 8, Title 7, Chapters 2 and 7; Title 8, Chapters 6 and 10; Title 9, Chapters 7, 8, 9, 10 and 13, of the City Code of the City of Fort Madison.

ROLL CALL: AYES: Bowker, Morawitz, Lair, Miller, Andrews, Cangas
NAYES: None

MOTION PASSED 6-0

The Mayor then declared the first reading of said Ordinance PASSED and APPROVED, this 7th day of July, 2020.

1st READING, AMEND 9-15: Morawitz MOVED and Lair SECONDED to approve the first reading of an ordinance amending Title 9, Chapter 15, Golf Carts, ATVs and UTVs.

The City requires golf carts, ATVs and UTVs to register with Lee County but Lee County no longer allows golf carts. This amendment removes the requirement that golf carts be registered.

ROLL CALL: AYES: Bowker, Morawitz, Lair, Miller, Andrews, Cangas
NAYES: None

MOTION PASSED 6-0

The Mayor then declared the first reading of said Ordinance PASSED and APPROVED, this 7th day of July, 2020.

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RESOLUTION NO. 2020-35, LOAN AMENDMENT: Cangas MOVED and Miller SECONDED to adopt a resolution authorizing an Amendment to a Loan and Disbursement Agreement by and between the City of Fort Madison and the Iowa Finance Authority, and authorizing and providing for reissuance of the Water Revenue Capital Loan Note, Series 2009D (Rate Reset).

ROLL CALL: AYES: Bowker, Morawitz, Lair, Miller, Andrews, Cangas
NAYES: None

MOTION PASSED 6-0

The Mayor then declared said Resolution ADOPTED and ENACTED, this 7th day of July, 2020.

RESOLUTION NO. 2020-36, PROPERTY TAX EXEMPTION: Morawitz MOVED and Cangas SECONDED to adopt a resolution granting property tax exemption for L & L Storage, Inc., for property at 1131 -48th Street (additional storage units).

ROLL CALL: AYES: Bowker, Morawitz, Lair, Miller, Andrews, Cangas
NAYES: None

MOTION PASSED 6-0

The Mayor then declared said Resolution ADOPTED and ENACTED, this 7th day of July, 2020.

RESOLUTION NO. 2020-37, ORDER CONSTRUCTION, SET P.H., BID LETTING: Miller MOVED and Morawitz SECONDED to adopt a resolution ordering construction, setting public hearing and bid letting for Public Improvement Project 2020-03, GRHS-FMCH Community Health Foundation: Fort Madison High School to Rodeo Park Trail.

Public Works Director Mark Busselot said this project is going out for bid in order to meet the deadline as set by the GRHS-FMCH Community Health Foundation which is providing \$1.5 million to construct the trail. The City is still working on easements with the high school and Lee County. There were some concerns by property owners on Avenue B regarding maintenance of the trail at the public meeting. Busselot suggested amending the City ordinance which places responsibility for sidewalk maintenance upon adjoining property owners. The Avenue B section could be classified as a trail instead of a sidewalk and then maintenance would fall to the City. Because of citizen concerns, the trail on Avenue B will be reduced from ten-foot wide to eight foot wide. Due to the time frame the Foundation has set, this project is going out for bid with the ten-foot trail but will then be modified to an eight-foot trail.

Cangas felt maintenance of all trails should be the City's responsibility.

Mike Chapman, 1617 Avenue B, read a prepared statement expressing concern regarding the removal of trees along Avenue B. He also asked Council to move forward as soon as possible with an ordinance to define trail systems as opposed to sidewalks and for the City to take responsibility for care and maintenance of trails. He said he is in favor of the trail.

Morawitz said he has heard from citizens regarding the trees that would be removed and questioned if there would be a way to save them by narrowing the sidewalk. Busselot said the trail will be two-foot narrower than the original plan eight-foot is the minimum for a shared multi-use trail. Bowker wanted to make sure the City is budgeting appropriately to take care of the trail.

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ROLL CALL: AYES: Bowker, Morawitz, Lair, Miller, Cangas, Andrews
NAYES: None

MOTION PASSED 6-0

The Mayor then declared said Resolution ADOPTED and ENACTED, this 7th day of July, 2020.

OTHER

SUPPLEMENTAL AGREEMENT NO. 1: Cangas MOVED and Morawitz SECONDED to approve the Mayor's signature on Supplemental Agreement No. 1 with Poepping, Stone, Bach and Associates, Inc., of Keokuk, for staking and construction services for Phase 3 of the FMCH Connector Trail.

**MOTION PASSED 6-0
ROLL CALL**

CHANGE ORDER NO. 2: Morawitz MOVED and Andrews SECONDED to approve Change Order No. 2 for P.I.P 2018-04, Reconstruction of Old Hwy. 61, 2nd to 6th Street.

**MOTION PASSED 6-0
ROLL CALL**

LEASE AGREEMENT: Cangas MOVED and Andrews SECONDED to approve the Mayor's signature on a Lease Agreement with River Rocks, LLC, for the use of a portion of the marina building and attached shelter in Riverview Park.

Mohrfeld said this has come together very quickly. Wesley Holtkamp of River Rocks, LLC, said it Rock's Docks will serve a simple menu - burgers, brats hot dogs, beer and liquor, to boaters and the public in the outdoor patio section. Mohrfeld said there is no expenditure for the city. Rock's Docks is also willing to assist the City by selling gasoline for the boaters there.

**MOTION PASSED 6-0
ROLL CALL**

CITY CLERK REAPPOINTMENT: Cangas MOVED and Andrews SECONDED to approve the reappointment of Melinda L. Blind, as City Clerk, term expiring July 1, 2022

**MOTION PASSED 6-0
ROLL CALL**

BOARD APPOINTMENT: Lair MOVED and Miller SECONDED to approve the Mayor's appointment of Joshua Leyh to the Parks Board, term expiring March 31, 2022.

**MOTION PASSED 6-0
ROLL CALL**

COUNCIL MEMBER COMMUNICATIONS: The Airport Commission met and have several projects due to stimulus money. Bowker wished to hear from Dr. Watkins at a Council meeting. The Fort Madison Beautification Foundation received a grant to provide free wi-fi downtown. She asked if the City is waiving fees for the Downtown Market since fees were waived for Riverfest.

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Cangas wanted the sidewalk ordinance changed as soon as possible. After a discussion regarding a public safety committee with City staff, this will start with a work group to discuss some of the issues. He noted there have been a lot of complaints about parking on Avenue E. Or, he suggested, this could just be a trouble-shooting work group with Cangas as the liaison to the City Council.

The Historic Preservation Commission will have a conference call with Paula Mohr from the State on Monday. The Kingsley Inn worked to have a new rail cam installed and it is very popular. Holtkamp said there were 124,000 views in the first week and several couples have already come to Fort Madison to stay because of the rail cam. Mohrfeld noted several issues with abandoned properties and believed the abandoned buildings ordinance needs to get going.

MAYOR ANNOUNCEMENTS: Mohrfeld said there will be a discussion regarding the city policy requiring employees to live within 10 miles of city limits. He noted there are situations where it limits employment opportunities. He believed this is probably going to vary by department but will be on the next agenda.

ADJOURNMENT

At 6:53 P.M., the regular meeting adjourned until Tuesday, July 21, 2020, at 5:30 P.M.

MANUAL CLAIMS & WARRANTS: See Claims dated July 1 in the amount of \$299,720.50, June Library Claims in the amount of \$4,479.32, and June Manual Claims in the amount of \$80,370.99.

PAYROLL	7/2/2020	PAYROLL	6/20/2020
General	\$181,443.28	General	\$222,754.59
Marina	602.84	Marina	603.96
Old Fort	3,682.21	Old Fort	2,738.04
Road Use	27,064.14	Road Use	27,195.00
Tourism	1,322.39	Tourism	1,432.24
Water	28,980.15	Emp. Vol. Ded.	6,610.12
Sewer	39,045.80	Water	29,085.96
Solid Waste	11,994.84	Sewer	38,590.66
Airport	312.77	Solid Waste	11,864.65
Storm Water	3,645.84	Airport	488.44
	<u>\$298,094.26</u>	Storm Water	<u>3,658.56</u>
			<u>\$345,022.22</u>

Matt J. Mohrfeld, Mayor

ATTEST:

Melinda L. Blind, City Clerk